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Attorneys for Defendant PINNACLE CREDIT SERVICES, LLC, erroneously sued and served as PINNACLE CREDIT SERVICES, INC.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

ROBERT MICHAEL WILLIAMS,

Plaintiff,

vs.

TRANSUNION, LLC, EXPERIAN
INFORMATION SOLUTIONS, INC.;
EQUIFAX INFORMATION SERVICES,
LLC, AMERICAN EXPRESS TRAVEL
RELATED SERVICES, INC.; DISCOVER
FINANCIAL SERVICES; PINNACLE
CREDIT SERVICES, INC.; ASSET
ACCEPTANCE, LLC; and NATIONAL
CREDIT ADJUSTERS, LLC.

Defendants.

Case No. C-07-5956 CRB

**NOTICE OF MOTION AND MOTION TO
COMPEL FURTHER RESPONSES BY
PLAINTIFF TO DISCOVERY
PROPOUNDED BY PINNACLE;
DECLARATION OF TIMOTHY P.
JOHNSON; SEPARATE STATEMENT
REGARDING DISPUTED DISCOVERY
RESPONSES**

Date: October 24, 2008

Time: 10:00 a.m.

Courtroom: 8, 19th Floor

TO ALL PARTIES HEREIN AND THEIR ATTORNEYS OF RECORD:

PLEASE TAKE NOTICE that on OCTOBER 24, 2008, at 10:00 a.m., or as soon thereafter as this matter may be heard in Courtroom 8, 19th Floor, of the above-entitled court, located at 450 Golden Gate Ave, San Francisco, California 94102, Defendant PINNACLE CREDIT SERVICES, LLC will move the court for an order compelling further answers to the Interrogatories and Request for Production of Documents served on Plaintiff ROBERT MICHAEL WILLIAMS on June 6, 2008.

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1 This motion is made pursuant to the *Federal Rules of Civil Procedure*, Rule 37, on
2 the grounds that plaintiff ROBERT MICHAEL WILLIAMS has failed to serve legally sufficient
3 answers to the Interrogatories and Request for Production of Documents.

4 This motion will be based upon this notice, the declaration of Timothy P. Johnson
5 served and filed herewith, the memorandum of points and authorities in support thereof, on the
6 pleadings, records, and files herein, and upon any oral or documentary evidence that may be
7 presented at the hearing of this motion.

8 Dated: September 8, 2008

9 **LAW OFFICES OF TIMOTHY P. JOHNSON**

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11 By: /S/ Timothy P. Johnson
12 TIMOTHY P. JOHNSON
13 Attorneys for Defendant PINNACLE CREDIT
14 SERVICES, LLC

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Tpj:cww/Williams/pleadings/007

PROOF OF SERVICE BY MAIL

C.C.P. §1013(a), C.R.C. 2003(3), 2005(I)

STATE OF CALIFORNIA, COUNTY OF ORANGE

I am employed in the County of Orange, State of California. I am over the age of 18 and not a party to the within action; my business address is 17821 E. 17th Street, Suite 290, Tustin, California 92780.

On September 12, 2008, I served the foregoing document described as **NOTICE OF MOTION AND MOTION TO COMPEL FURTHER RESPONSES BY PLAINTIFF TO DISCOVERY PROPOUNDED BY PINNACLE; DECLARATION OF TIMOTHY P. JOHNSON; SEPARATE STATEMENT REGARDING DISPUTED DISCOVERY RESPONSES** on all interested parties in this action by:

☒ placing ☐ the original ☒ a true copy thereof enclosed in sealed envelopes addressed as stated on the attached mailing list.

☒ **BY MAIL:** I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. Under that practice, it would be deposited with the U. S. Postal Service on the same day with postage thereon fully prepaid at Tustin, California, in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

☐ **BY PERSONAL SERVICE:** I caused such envelope to be delivered by hand to the offices of the addressee.

☐ **BY FACSIMILE TRANSMISSION:** From Fax No. (714) 832-1179 to the facsimile numbers listed on the attached mailing list. The facsimile machine I used complied with Rule 2003(3), and no error was reported by the machine.

☐ **BY OVERNIGHT DELIVERY:** I enclosed said document(s) in an envelope or package provided by the overnight service carrier and addressed to the persons at the addresses listed in the Service List. I placed the envelope or package for collection and overnight delivery at an office or regularly utilized drop box of the overnight service carrier or delivered such document(s) to a courier or driver authorized by the overnight service carrier to receive documents.

I declare that I am employed in the office of a member of the Bar of this Court, at whose direction the service was made.

EXECUTED on September 12, 2008 at Tustin, California.

/S/ Carol w. Wiese
CAROL W. WIESE

Williams v. Trans Union, et al.
USDC, Case No. C-07-5956 CRB

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